

TEMPORARY

Serial No. **55400T**

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office **OCT 22 1990**

Returned to applicant for correction

Corrected application filed Map filed **OCT 22 1990**The applicant Bently Nevada Corporation1617 Water Street (P.O. Box 157)
Street and No. or P.O. Box No.of Minden

City or Town

Nevada 89423

State and Zip Code No.

hereby make application for permission to change the

the point of diversion and place of use of a portion

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit 54234

Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

Identify right in Decree.

1. The source of water is Underground
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed 0.111 Second feet
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for Environmental Control
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for Environmental Control
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 6, T.13N., R.20E., M.D.B.&M.
Describe as being within a 40-acre subdivision of public survey and by course and
at a point from which the southwest corner of Section 8, T.13N., R.20E.,
distance to a section corner. If on unsurveyed land, it should be stated.
M.D.B.&M. bears S 15° 18' 47" E a distance of 9,532.60 feet (EX-25B).
6. The existing permitted point of diversion is located within NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, T.13N., R.20E.
M.D.B.&M. at a point from which the
If point of diversion is not changed, do not answer.
Southwest Corner of section 8, T.13N., R.20E., M.D.B.&M. bears S 18° 25' 14" E
a distance of 8,306.54 (EX-18B).
7. Proposed place of use See Attachment A.
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
8. Existing place of use within portions of S $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 5, T.13N., R.20E., M.D.B.&M.
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
and portions of the S $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 6, T.13N., R.20E., M.D.B.&M.
manner of use of irrigation permit, describe acreage to be removed from irrigation.
9. Use will be from January 1 to December 31 of each year.
Month and Day Month and Day
10. Use was permitted from January 1 to December 31 of each year.
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) drilled well with air stripping tower, pump,
State manner in which water is to be diverted, i.e. diversion structure,
and associated piping.
ditches, pipes and flumes, or drilled well, etc.
12. Estimated cost of works \$20,000.
13. Estimated time required to construct works Already completed. 6-inch diameter gravel packed
well, 89' deep, screened from 89' to 74'.

14. Estimated time required to complete the application of water to beneficial use. 3 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

This environmental control well is part of a remedial measure reviewed by NDEP.
Groundwater will be extracted from the shallow aquifer and treated by air
stripping. Treated water will be discharged to irrigation ditches on land owned
by Bently Nevada Corporation

By s/ Thomas A. Foote
5190 Neil Rd., Suite 300
Reno, Nev. 89502

Compared am/vjw am/vjw

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary Permit is issued to change the point of diversion and place of use of a portion of Permit 54234.

It is understood that the amount of water herein granted is only a temporary allowance for pollution control as mandated by orders issued by the Nevada Division of Environmental Protection and subsequent correspondence with said agency. The right will cease to exist upon termination of clean up activity as determined by the Nevada Division of Environmental Protection. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and records of this measurement shall be submitted on an annual basis. It is also understood that this right must allow for a reasonable lowering of the static water level of permittee's well due to other ground water development in the area. The well shall be equipped with a 2-inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of water granted herein at any and all times.

This temporary Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on November 5, 1991 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.111 cubic feet per second, but not to exceed 26.18 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before _____

Proof of completion of work shall be filed before _____

Application of water to beneficial use shall be made on or before _____

Proof of the application of water to beneficial use shall be filed on or before _____

Map in support of proof of beneficial use shall be filed on or before _____

Completion of work filed _____

Proof of beneficial use filed _____

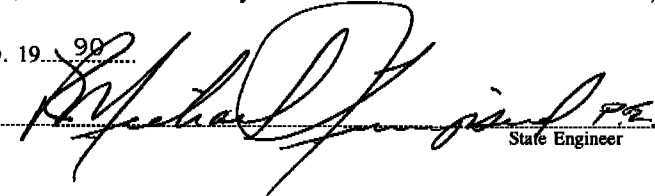
Cultural map filed _____

Certificate No. _____ Issued _____

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 7th day of November

A.D. 19 90


State Engineer

TEMPORARY

TEMPORARY

EXPIRED

DATE 11-5-91

EXHIBIT A
PROPOSED PLACE OF USE

| | |
|-----------------------------------|------------|
| SECTION 5, T.13N.,R.20E., M.D.M. | |
| SE 1/4 NW 1/4 | 40.00 AC |
| W 1/2 NW 1/4 | 80.37 AC |
| SECTION 6, T.13N.,R.20E., M.D.M. | |
| NE 1/4 NE 1/4 | 40.35 AC |
| S 1/2 NE 1/4 | 80.00 AC |
| SE 1/4 | 160.00 AC |
| W 1/2 | 300.70 AC |
| SECTION 7, T.13N.,R.20E., M.D.M. | |
| NE 1/4 | 160.00 AC |
| N 1/2 SE 1/4 | 80.00 AC |
| SECTION 8, T.13N.,R.20E., M.D.M. | |
| W 1/2 NE 1/4 | 80.00 AC |
| NW 1/4 SE 1/4 | 40.00 AC |
| N 1/2 SW 1/4 | 80.00 AC |
| S 1/2 NW 1/4 | 80.00 AC |
| SECTION 31, T.14N.,R.20E., M.D.M. | |
| W 1/2 | 292.73 AC |
| SECTION 36, T.14N.,R.19E., M.D.M. | |
| E 1/2 E 1/2 | 160.34 AC |
| TOTAL | 1674.49 AC |

1

2

3